

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA**

IRISH 4 REPRODUCTIVE HEALTH,
et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES,
et al.,

Defendants.

Case No. 3:18-cv-0491-PPS-MGG

JOINT MOTION FOR EXTENSION OF TIME AND BRIEFING SCHEDULE

Pursuant to Federal Rule of Civil Procedure 6(b)(1) and Local Rule 6-1, the Parties respectfully request that the Court set the following deadlines in this matter:

1. October 11, 2018 – deadline for the Department of Health and Human Services, the Department of Labor, the Department of the Treasury, Alex M. Azar II, R. Alexander Acosta, and Steven Mnuchin (Federal Defendants) to answer or otherwise respond to the complaint.
2. October 11, 2018 – deadline for the University of Notre Dame to answer or otherwise respond to the complaint.
3. December 11, 2018 – deadline for Plaintiffs to file any oppositions to Federal Defendants' and the University of Notre Dame's responses to the complaint.
4. December 21, 2018 – deadline for Federal Defendants and the University of Notre Dame to file any replies in support of their responses to the complaint.

Federal Defendants' response to the complaint is currently due August 27, 2018, by operation of the Federal Rules. The University of Notre Dame's response to the complaint is

currently due August 27, 2018, by Order of this Court. Order, ECF No. 15. Plaintiffs' opposition to a motion to dismiss by Federal Defendants or the University of Notre Dame would typically be due 14 days following that filing. Local Rule 7-1(d)(2)(A). Federal Defendants' and the University of Notre Dame's reply supporting a motion to dismiss would typically be due 7 days following the filing of any opposition. Local Rule 7-1(d)(2)(B). This is the second motion for an extension of time by the University of Notre Dame, and the first motion for an extension of time by all other parties.

The complaint in this case raises seven claims, spans 226 numbered paragraphs, and involves a variety of administrative and constitutional law issues, including challenges to the constitutionality of federal regulations. The Parties have conferred and concluded that, due to the nature of this case, as well as the other obligations of counsel, the schedule set forth above will facilitate the thorough briefing of these issues and conserve the Court's and parties' resources. Moreover, continued coordination of Defendants' deadlines will further the orderly progression of these proceedings and avoid piecemeal briefing and consideration of the issues in this litigation. Other than the previously set date for the University of Notre Dame to respond to the complaint, the requested schedule would not impact any deadlines previously set by the Court.

A Proposed Order granting the relief sought is attached.

Dated: August 21, 2018

Respectfully submitted,

CHAD A. READLER
Acting Assistant Attorney General

/s/ Rebecca M. Kopplin
REBECCA M. KOPPLIN
Trial Attorney (California Bar No. 313970)
JUSTIN M. SANDBERG
Senior Trial Counsel
United States Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Avenue, NW
Washington, DC 20001
Tel: (202) 514-3953
Fax: (202) 616-8470
E-mail: rebecca.m.kopplin@usdoj.gov

Counsel for Federal Defendants

/s/ Matthew A. Kairis
Matthew A. Kairis (OH 0055502)
JONES DAY
325 John H. McConnell Blvd., Suite 600
Columbus, OH 43215
Tel.: 614-281-3605
Fax: 614-461-4198
makairis@jonesday.com

Counsel for Defendant University of Notre Dame

Richard B. Katskee*
Alison Tanner*
*Americans United for Separation
of Church and State*
1310 L Street, NW, Suite 200
Washington, DC 20005
Telephone: (202) 466-3234
katskee@au.org
tanner@au.org

Fatima Goss Graves**
Gretchen Borchelt**
Sunu Chandy*
Michelle Banker*
National Women's Law Center
11 Dupont Circle, NW, Suite 800
Washington, DC 20036
Telephone: (202) 588-5180
fgossgraves@nwlc.org
gborchelt@nwlc.org
schandy@nwlc.org
mbanker@nwlc.org

*Counsel for Plaintiffs Irish 4
Reproductive Health and Jane Doe 1*

/s/ Jeffrey A. Macey
Jeffrey A. Macey
Macey Swanson LLP
445 N. Pennsylvania Street, Suite 401
Indianapolis, IN 46204
Telephone: (317) 637-2345
jmacey@maceylaw.com

Counsel for all Plaintiffs

Emily Nestler*
Jessica Sklarsky*
Center for Reproductive Rights
1634 Eye Street NW, Suite 600
Washington, DC 20006
Telephone: (202) 629-2657
enestler@reprorights.org
jsklarsky@reprorights.org

*Counsel for Plaintiffs Natasha Reifenberg,
Jane Doe 2 and Jane Doe 3*

* Admitted *pro hac vice*.

** Application for admission *pro hac vice* forthcoming

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Joint Motion for Extension of Time and Briefing Schedule was served on counsel for all parties using the Court's CM/ECF system on August 21, 2018.

/s/ Rebecca M. Kopplin
REBECCA M. KOPPLIN
Counsel for Federal Defendants